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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12

13 JACK COHEN, on behalf of himself and all  
14 others similarly situated,

15 Plaintiff,

16 v.

17 CIPHERGEN BIOSYSTEMS, INC., WILLIAM  
18 E. RICH and MATTHEW J. HOGAN,

19 Defendants.  
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Civil Action No. 05-4997-MHP

**STIPULATION OF VOLUNTARY  
DISMISSAL**

1 IT IS HEREBY STIPULATED AND AGREED by the parties, through their  
2 undersigned counsel, that the above-captioned matter is hereby voluntarily dismissed  
3 pursuant to Fed. R. Civ. P. 41(a)(1). The parties shall each bear their own fees and costs

4  
5 DATED: March 28, 2006

KAPLAN FOX & KILSHEIMER LLP

6 /s/

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18 *Attorneys for Plaintiff*

19 Dated: March 28, 2006

WILSON SONSINI GOODRICH & ROSATI, P.C.

20 /s/

21 By: Keith E. Eggleton (CSB# 159842)  
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25 *Attorneys for Defendants CIPHERGEN Biosystems, Inc.,  
26 William E. Rich and Matthew J. Hogan*

27 March 29, 2006



1 I hereby attest that concurrence in the filing of this document has been obtained  
2 from Keith E. Eggleton whose signature is indicated by a “conformed” signature (/S/)  
3 within this efiled document.

4  
5 /s/  
6 Laurence D. King  
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**PROOF OF SERVICE**

I, Adrianna D. Gutierrez, declare that I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 555 Montgomery Street, San Francisco, California 94111.

On March 28, 2006, I used the Northern District of California's Electronic Case Filing System, with the ECF registered to Laurence D. King to file following document(s):

**STIPULATION OF VOLUNTARY DISMISSAL**

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

Laurence D. King – [lking@kaplanfox.com](mailto:lking@kaplanfox.com)  
Linda M. Fong – [lfong@kaplanfox.com](mailto:lfong@kaplanfox.com)  
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On this date, I served the below parties:

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XXX (BY OVERNIGHT DELIVERY) I placed the sealed envelope(s) or package(s) designated by the express service carrier for collection and overnight delivery by following the ordinary business practices of Kaplan Fox Kilsheimer LLP. I am readily familiar with Kaplan Fox Kilsheimer LLP's practice for collecting and processing of correspondence for overnight delivery, said practice being that, in the ordinary course of business, correspondence for overnight delivery is deposited with delivery fees paid or provided for at the carrier's express service offices for next-day delivery the same day as the correspondence is placed for collection.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed March 28, 2006 at San Francisco, California.

  
Adrianna D. Gutierrez